

Art Unit: 2627

1. The indicated allowability of claims 3 and 9 is withdrawn in view of the newly discovered reference(s) to Yang et al (US 6,822,833). Rejections based on the newly cited reference(s) follow.

Election/Restrictions

2. Claims 15-21 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected species, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on July 25, 2006.

Double Patenting

3. Claims 1 and 7 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claim 1 of U.S. Patent No. 6,930,861. Although the conflicting claims are not identical, they are not patentably distinct from each other because both sets of claims require "an encapsulant covering . . . a component selected from the group consisting of the microactuator, the slider, a disc spacer, surface mount components on a printed circuit card assembly, ceramic components".

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Art Unit: 2627

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1, 2, 5-8 and 11-14 are rejected under 35 U.S.C. 102(b) as being anticipated by Ogawa et al (US 5,425,988). Ogawa et al shows in figures 2 and 3, for example, an encapsulant 12 including a self assembled monolayer with a self limiting thickness of one layer of a molecule covering a surface of a component such as a slider. The monolayer is composed of an organosilane having a thickness in the range of 10 angstroms to about 40 angstroms. See column 8, lines 62-64 of Ogawa et al.

6. Claims 1-3 and 7-9 are rejected under 35 U.S.C. 102(e) as being anticipated by Yang et al (US 5,425,988). Yang et al shows in figure 6 a self assembled monolayer 228 with self limiting thickness of one layer of a molecule covering a surface of a slider. Yang et al, for example, discloses in column 11, lines 45-50 that the organosilane is selected from the group consisting of octadecyltrichlorosilane (OTS), octadecyldimethylchlorosilane, butyltrichlorosilane, perfluorodecyltrichlorosilane, alkylsiloxane, alkyl and perfluoroalkyl-trichlorosilane, dichlorosilane, alkene and alkyl ethoxy silanes, octadecyltriethoxysilane, alkylaminosilanes, and alkanethiols.

Allowable Subject Matter

7. Claims 4 and 10 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

8. Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David D. Davis whose telephone number is 571-272-7572. The examiner can normally be reached on Monday thru Friday between 7:30-4:00.

Art Unit: 2627

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wayne R. Young can be reached on 571-272-7582. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/David D. Davis/

Primary Examiner

Art Unit 2627

ddd